IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1851 OF 2005

IN

CIVIL APPLICATION NO. 846 OF 2001

IN

SECOND APPEAL STAMP NO. 8518 OF 2000

Hari Tukarm Magdum ..Appellant

versus

Smt. Sonabai K. Magdum ..Respondent

Mr. C. G. Gavnekar for the Appellant.

CORAM : D. G. DESHPANDE,J.

DATE : 21ST OCTOBER,2005

P.C. :

1. Heard.

2. This application is filed by the appellant for setting side the order dated 1.4.2002 and for condonation of delay. That order was for dismissal of appeal for not filing affidavit of service. Other companion Appeal arising out of the same

judgment vide Second Appeal No. 889 of 2005 has been admitted by me on 8.9.2005, and therefore this Application is allowed, Civil Application No. 846 of 2001 is restored to file along with the Second Appeal. Civil Application No. 1851 of 2005 disposed of accordingly.

3. Put up Appeal for admission on 24.11.2005.

21.10.2005 (D.G. DESHPANDE, J.)